

Senate Study Bill 1084

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON ZIEMAN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for licensure requirements relating to the
2 practice of athletic training and increasing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2184SC 80
5 rn/sh/8

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1 1 Section 1. Section 147.2, unnumbered paragraph 1, Code
1 2 2003, is amended to read as follows:
1 3 A person shall not engage in the practice of medicine and
1 4 surgery, podiatry, osteopathy, osteopathic medicine and
1 5 surgery, psychology, chiropractic, physical therapy, nursing,
1 6 dentistry, dental hygiene, optometry, speech pathology,
1 7 audiology, occupational therapy, respiratory care, pharmacy,
1 8 cosmetology, barbering, social work, dietetics, marital and
1 9 family therapy or mental health counseling, massage therapy,
1 10 mortuary science, athletic training, or acupuncture, or shall
1 11 not practice as a physician assistant as defined in the
1 12 following chapters of this subtitle, unless the person has
1 13 obtained from the department a license for that purpose.
1 14 Sec. 2. Section 147.74, subsection 20, Code 2003, is
1 15 amended to read as follows:
1 16 20. An athletic trainer licensed under chapter 152D and
1 17 this chapter may use the ~~title words~~ "licensed athletic
1 18 trainer" or the letters "AT/L" after the person's name.
1 19 Sec. 3. Section 152D.1, Code 2003, is amended by striking
1 20 the section and inserting in lieu thereof the following:
1 21 152D.1 DEFINITIONS.
1 22 As used in this chapter, unless the context otherwise
1 23 requires:
1 24 1. "Athletic injury" means any of the following:
1 25 a. An injury or illness sustained by an individual as a
1 26 result of the individual's participation in exercise, sports,
1 27 games, or recreation.
1 28 b. An injury or illness that impedes or prevents an
1 29 individual from participating in exercise, sports, games, or
1 30 recreation.
1 31 c. Any condition identified by a licensed physician as
1 32 benefiting from athletic training services which is within the
1 33 professional preparation and education of a licensed athletic
1 34 trainer.
1 35 2. "Athletic trainer" means a person licensed under this
2 1 chapter to practice athletic training under the direction of a
2 2 licensed physician.
2 3 3. "Athletic training" means the practice of prevention,
2 4 recognition, assessment, evaluation, management, treatment,
2 5 disposition, and reconditioning of athletic injuries and
2 6 conditions that are within the professional preparation and
2 7 education of a licensed athletic trainer and under the
2 8 direction of a licensed physician. The term "athletic
2 9 training" includes the following:
2 10 a. Use of therapeutic modalities such as heat, light,
2 11 sound, cold, electricity, exercise, rehabilitation, or other
2 12 mechanical devices deemed necessary by the directing physician
2 13 to affect the care, conditioning, and rehabilitation of
2 14 athletic injuries.
2 15 b. The organization and administration of educational
2 16 programs and athletic facilities.
2 17 c. The education and counseling of the public on matters
2 18 relating to athletic training.
2 19 4. "Board" means the board of examiners for athletic
2 20 training created under chapter 147.
2 21 Sec. 4. Section 152D.3, Code 2003, is amended to read as
2 22 follows:

2 23 152D.3 QUALIFICATIONS == PROCEDURES REQUIREMENTS FOR
2 24 LICENSURE.
2 25 1. An applicant for ~~an athletic trainer license must~~
2 26 ~~possess the following qualifications a license to practice~~
2 27 ~~athletic training shall:~~
2 28 a. ~~Graduation from~~ Be a graduate of an accredited college
2 29 or university and ~~compliance~~ comply with the minimum athletic
2 30 training curriculum requirements established by the board.
2 31 b. ~~Successful completion of~~ Have successfully completed an
2 32 examination prepared or selected by the board.
2 33 2. An out-of-state applicant for ~~an athletic trainer a~~
2 34 ~~license to practice athletic training~~ must fulfill the
2 35 requirements of subsection 1, paragraphs "a" and "b", and
3 1 submit proof of active engagement as an athletic trainer in
3 2 the other state.
3 3 3. Application and renewal procedures, fees, and
3 4 reciprocal agreements shall be provided in accordance with
3 5 ~~this chapter~~ rules adopted by the board pursuant to chapter
3 6 17A.
3 7 Sec. 5. Section 152D.4, subsection 1, Code 2003, is
3 8 amended to read as follows:
3 9 1. Persons otherwise licensed to practice medicine and
3 10 surgery, osteopathy, osteopathic medicine and surgery,
3 11 optometry, occupational therapy, nursing, chiropractic,
3 12 podiatry, dentistry, or physical therapy, or a licensed
3 13 physician assistant who do not represent themselves to the
3 14 public as athletic trainers.
3 15 Sec. 6. Section 152D.4, Code 2003, is amended by adding
3 16 the following new subsection:
3 17 NEW SUBSECTION. 4. An athletic trainer who is in this
3 18 state temporarily with an individual or group that is
3 19 participating in an athletic event and who is licensed,
3 20 certified, or registered by another state or country, or
3 21 certified as an athletic trainer by the board of certification
3 22 of the national athletic trainers association or its successor
3 23 organization.
3 24 Sec. 7. Section 152D.5, subsection 3, Code 2003, is
3 25 amended to read as follows:
3 26 3. Prepare and conduct, or prescribe, an examination for
3 27 applicants for a license.
3 28 Sec. 8. NEW SECTION. 152D.7 PRACTICE OR USE OF TITLE ==
3 29 LICENSE REQUIRED.
3 30 1. An individual licensed pursuant to this chapter shall
3 31 be designated a licensed athletic trainer and may use the
3 32 letters "ATC/L" after the individual's name.
3 33 2. It is unlawful for a person to engage in the practice
3 34 of athletic training, or use in connection with the person's
3 35 name the title "athletic trainer", "licensed athletic
4 1 trainer", "registered athletic trainer", the letters "AT",
4 2 "AT,C", "LAT", "ATC/L", or "ATC=L", or other words,
4 3 abbreviations, or insignia that imply or represent that the
4 4 person practices athletic training, unless the person is
4 5 licensed pursuant to this chapter.
4 6 Sec. 9. Section 152D.8, Code 2003, is amended to read as
4 7 follows:
4 8 152D.8 PENALTY.
4 9 A person who violates a provision of this chapter is guilty
4 10 of a ~~simple~~ serious misdemeanor.
4 11 Sec. 10. NEW SECTION. 152D.9 TRANSITION PROVISIONS.
4 12 1. Applicants for licensure under this chapter who have
4 13 not passed a licensure examination administered or approved by
4 14 the board by July 1, 2003, shall be issued a temporary license
4 15 to practice athletic training for a period of two years,
4 16 commencing on July 1, 2003, provided that the applicant
4 17 satisfies all of the following requirements:
4 18 a. Submits written evidence to the board demonstrating
4 19 that the applicant has been engaged in the practice of
4 20 athletic training for a total of at least one hundred twenty
4 21 months.
4 22 b. Submits a letter of recommendation to the board from
4 23 the applicant's most recent employer.
4 24 c. Submits letters of recommendation to the board from two
4 25 licensed physicians attesting to the competency of the
4 26 applicant.
4 27 d. Presents satisfactory evidence to the board that the
4 28 applicant possesses current cardiopulmonary resuscitation and
4 29 first aid certification.
4 30 e. Presents satisfactory evidence to the board
4 31 demonstrating that the applicant possesses a baccalaureate
4 32 degree from an accredited college or university.
4 33 2. An applicant issued a temporary license pursuant to

4 34 this section shall pass a licensure examination administered
4 35 or approved by the board on or before July 1, 2005, in order
5 1 to remain licensed as an athletic trainer, unless the board,
5 2 in its discretion, extends the applicant's temporary license
5 3 for an additional two-year period.

5 4 Sec. 11. Section 152D.2, Code 2003, is repealed.

5 5 EXPLANATION

5 6 This bill provides that an individual engaged in the
5 7 practice of athletic training must obtain a license pursuant
5 8 to the provisions of Code chapter 152D.

5 9 The bill provides for new or revised definitions for terms
5 10 utilized in Code chapter 152D. The bill provides that an
5 11 "athletic injury" refers to an injury or illness sustained by
5 12 an individual as a result of the individual's participation in
5 13 exercise, sports, games, or recreation, or which impedes their
5 14 participation therein, or to any condition identified by a
5 15 licensed physician as benefiting from athletic training
5 16 services and within the professional preparation and education
5 17 of a licensed athletic trainer. The bill provides that
5 18 "athletic training" refers to the practice of prevention,
5 19 recognition, assessment, evaluation, management, treatment,
5 20 disposition, and reconditioning of athletic injuries and
5 21 conditions that are within the professional preparation and
5 22 education of a licensed athletic trainer and under the
5 23 direction of a licensed physician. The bill provides that
5 24 athletic training encompasses the use of therapeutic
5 25 modalities such as heat, light, sound, cold, electricity,
5 26 exercise, rehabilitation, or other mechanical devices deemed
5 27 necessary by the directing physician to affect the care,
5 28 conditioning, and rehabilitation of athletic injuries; the
5 29 organization and administration of educational programs and
5 30 athletic facilities; and the education and counseling of the
5 31 public on matters relating to athletic training.

5 32 The bill provides that application and renewal procedures,
5 33 fees, and reciprocal agreements relating to a license to
5 34 practice athletic training shall be established by the board
5 35 by rule, and adds the provision that persons specified in Code
6 1 chapter 152D who are otherwise licensed to practice another
6 2 profession shall not be considered to be practicing athletic
6 3 training provided that they do not represent themselves to the
6 4 public as athletic trainers.

6 5 The bill provides that an athletic trainer who is in the
6 6 state temporarily with an individual or group that is
6 7 participating in an athletic event and who is licensed,
6 8 certified, or registered by another state or country, or
6 9 certified as an athletic trainer by the board of certification
6 10 of the national athletic trainers association or its successor
6 11 organization, shall not be subject to the licensing
6 12 requirements of Code chapter 152D.

6 13 The bill provides that an individual who is a licensed
6 14 athletic trainer may use the letters "ATC/L", and that it is
6 15 unlawful to engage in the practice of athletic training, or
6 16 use the title "athletic trainer", "licensed athletic trainer",
6 17 or "registered athletic trainer", the letters "AT", "AT,C",
6 18 "LAT", "ATC/L", or "ATC=L", or other words, abbreviations, or
6 19 insignia that imply or represent that the person practices
6 20 athletic training, unless an individual is licensed to do so.

6 21 The bill changes the penalty provisions for a violation of
6 22 the chapter from a simple to a serious misdemeanor.

6 23 The bill provides for temporary licensure for individuals
6 24 who have not passed a licensure examination administered or
6 25 approved by the board of examiners for athletic training by
6 26 July 1, 2003. The bill provides that such individuals shall
6 27 be issued a temporary license for the two-year period
6 28 commencing July 1, 2003, if specified requirements are
6 29 satisfied, and that this temporary license may be extended for
6 30 an additional two years at the discretion of the board.

6 31 The bill repeals title requirements previously in effect
6 32 regarding the practice of athletic training, and makes
6 33 conforming changes to provisions in Code chapter 147.

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6 35 rn/sh/8